IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3085 OF 2006

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OFFICE NOTES, OFFICE MEMORANDUM OF CORAM, APPEARANCES, COURT'S ORDERS OR DIRECTIONS AND REGISTRAR'S ORDERS	COURT'S OR JUDGES ORDERS

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Shri S.S.Salunkhe for the Applicant.
Ms S.V.Gajare, A.P.P. for the Respondent.

CORAM : A. S. OKA, J.
DATE : SEPTEMBER 21, 2006.

P.C.:

1. Private complaint filed by the Applicant alleging commission of offence under section 500 read with section 34 of the Indian Penal Code has resulted in acquittal. Therefore, this is an Application made for grant of leave to prefer an Appeal. The first allegation of the Applicant is that the Respondents repeatedly represented that the Applicant has been removed as a trustee of a public trust of the community to which the Applicant belongs and he has been expelled from the community and therefore, the allegation is that the Applicant was defamed as a result of which he faced difficulty in

settling the marriage of his son who had become an Advocate. His second allegation is that an advertisement was published by the Respondents in a newspaper in which photograph of the Applicant was not printed which gave an impression to the members of public that the Applicant has been removed from the board of trustees.

2. The learned Trial Judge considered the evidence of the witnesses examined by the Applicant. After considering the evidence, the learned Trial Judge came to the conclusion that offence of defamation is not proved.

3. After having gone through the complaint and the impugned order, I find that view taken by the learned Trial Judge is a possible view on the basis of evidence on record. No case is made out for grant of leave. Hence, Application is rejected.

JUDGE